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PATENT

Attorney Docket No. BA-32448(1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : BAKER et al.
Serial No. : 10/817,058
Filing Date : April 2, 2004
For : Method of Treating Cardiac Ischemia by Using Erythropoietin
Group Art Unit: 1653
Examiner : MAYER, Suzanne Marie
Confirmation No.: 2664

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being transmitted to Fax
No. 571-273-8300 addressed to Examiner MAYER at the U.S. Patent and Trademark Office.

Date: January 11, 2006 Patricia Beck

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

Applicant requests consideration of the pending claims in the above-identified patent application based on the remarks herein.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of the claims, which begins on page 3 of this paper.

Remarks begin on page 9 of this paper.